

## COMMENT SHEET

OCA 2887-88

OCA FILE

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TO:   
Office of Congressional Affairs

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FROM: Compensation, Automation, and Planning/OP

SUBJECT: H.R. 5124 and H.R. 5125, Amendments to 3 USC 112 Concerning  
Details to the White House Office

Subject bill has been reviewed by the Office of Personnel and our  
position is as follows:

- ☒ No objection.
- ☐ Continue monitoring/OP interest.
- ☒ No CIA equities.
- ☐ Seek CIA exemption.
- ☒ Advise OP when enacted.
- ☒ Comments.

H.R. 5124 amends 3 USC 112 to require reimbursement for employees detailed to the White House Office and other listed offices for the full period of time for which such employees are detailed, rather than only for those periods in excess of 180 calendar days in any fiscal year. This is not our fight. However, we would benefit from this provision.

H.R. 5125 amends the same section to provide that employees holding positions excepted from the competitive service because of their confidential or policy-determining character may not be detailed to the White House Office or certain other offices. All positions in the CIA are excepted from the competitive service based upon the Agency's special authority, under section 8 of the CIA Act of 1949, to establish and maintain its own separate and distinct personnel system. In addition to positions specifically excepted from the competitive service by or under statute (e.g. the Agency's), OPM has the authority to except positions from the competitive service. OPM lists these positions in what are called Schedules A, B, and C. Positions of a confidential or policy-determining character are listed in Schedule C. Thus, Agency employees would not fall within the group of employees who could not be detailed to the White House Office. Again, since this is not our fight, we have no objections one way or another.

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23 August 1988  
Date

Name/Signed